

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

THIERRY,

Defendant.

Case No. 1:21-cv-01792-JLT-BAK (HBK) (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DENYING
PLAINTIFF'S MOTION TO PROCEED *IN*
FORMA PAUPERIS, AND DISMISSING CASE

(Docs. 8, 10)

Clerk of Court to close the case.

Lance Williams has filed a motion to proceed *in forma pauperis*. (Doc. 8.) On January 19, 2022, the assigned magistrate judge issued findings and recommendations to deny Plaintiff's motion to proceed *in forma pauperis* and dismiss the action without prejudice. (Doc. 10.) The assigned magistrate judge found that Plaintiff has "three strikes" under 28 U.S.C. § 1915(g) and that he was not in imminent danger of serious physical injury at the time he filed the complaint. (*Id.*)

The Court advised Plaintiff that he could file objections within fourteen days from the date of service of the findings and recommendations. (*Id.*) After service of the findings and recommendations, Plaintiff requested a ninety-day extension of time to file objections. (Doc. 12.) The Court granted Plaintiff an additional sixty days to file objections. (Doc 13.) More than sixty days have passed, and Plaintiff has failed to file objections to the findings and recommendations.

1 According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of
2 this case. Having carefully reviewed the entire file, the Court finds the findings and
3 recommendations to be supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 4 1. The findings and recommendations issued on January 19, 2022, (Doc. 10), are
5 adopted in full.
- 6 2. Plaintiff's motion to proceed *in forma pauperis*, (Doc. 8), is **DENIED**.
- 7 3. This action is **DISMISSED WITHOUT PREJUDICE** with leave to refile upon
8 prepayment of the \$402 filing fee; and
- 9 4. The Clerk of the Court is directed to close this case.

10
11 IT IS SO ORDERED.

12 Dated: **April 5, 2022**


UNITED STATES DISTRICT JUDGE